

KIRKLAND MUNICIPAL COURT
PO Box 678, Kirkland, WA 98083-0678, (425) 587-3160

Mitigation In Person Hearing

The court is in receipt of your request for a hearing to mitigate your traffic infraction. You and your witnesses, if any, must personally appear in court at the date and time indicated on the enclosed hearing notice unless you wish to have your hearing by mail.

If you fail to appear for your hearing, the ticket will be found committed, a \$52 penalty may be added and the violation will be reported to the Department of Licensing. Unpaid fines may result in referral to a collection agency and suspension of your privilege to drive.

Mitigation Hearing by Mail

Instead of appearing in court at the date and time scheduled on your hearing notice, you also have the option of a mitigation hearing by mail. If you decide to proceed with a hearing by mail, you will not be required to appear in court. Instead you must complete the second page of this form. If you have any witnesses, their written statement must be attached to this form. The court will review your statements, the police officer's sworn statement, and render a decision. If the court finds that the infraction has been committed, it will impose a monetary penalty. The penalty will be based on the facts of the case and your driving record. You may not appeal the court's determination or order. You agree to pay the court ordered penalty within the specified time ordered by the judge. You will be notified by mail of the judge's decision. If you have not received a response within four weeks of mailing your hearing by mail form, it is your responsibility to contact the court at the number listed above.

The court **must** receive all statements **before** your scheduled hearing. Statements not received before your scheduled hearing will **not** be considered. If the court does not receive your statement before the scheduled hearing date and you also fail to appear for the hearing, the infraction will automatically be found committed, a \$52 penalty may be added and the violation will be reported to the Department of Licensing. Unpaid fines may result in referral to a collection agency and suspension of your privilege to drive.

Insurance Violation

If you received a citation for No Proof of Insurance and had valid insurance at the time of the violation or have currently obtained valid insurance, please attach a copy of your insurance card to this form. Insurance policies and application forms are not accepted as proper proof of insurance. If you received another violation on your citation in addition to the insurance violation, be sure to address that violation on the back of this form. If you had valid insurance at the time of violation there may be a \$25.00 administrative fee for not showing proof of your insurance card at that time.

Deferred Finding for Dismissal

You may request a Deferred Finding and it will be up to the Judge to grant your request. You may only have ONE (1) deferral for a moving violation and ONE (1) deferral for a non-moving violation within a SEVEN (7) year period. **I hereby certify under penalty of perjury that I have not had a deferred finding for a traffic infraction within the last SEVEN (7) years (see signature on second page of form).**

If the Judge grants your request for a deferred finding, you must pay the deferred finding fee of \$200, comply with all court ordered conditions and have no further law violations for the deferral period. If you comply with **all** court ordered conditions the ticket will be dismissed and will not appear on your driving record. You agree and understand that if you violate any of the court ordered conditions **in any way** that the ticket will be found committed and reported to the Department of Licensing. You also agree and understand that you will be required to pay the original amount of the infraction plus a default penalty in addition to the costs already imposed by the Court and that unpaid fines may result in referral to a collection agency and suspension of your privilege to drive.

(Please complete the second page of this form.)

To proceed by mail, the bottom portion of this form must be completed.

- ☐ I wish to submit my case as a mitigation hearing to the court on my written statements. I have read and agree to abide by the rules and procedures governing hearings by mail.
- ☐ I wish to request a Deferred Finding. I have read and agree to abide by the rules and procedures governing Deferred Findings.

THE FOLLOWING IS MY WRITTEN STATEMENT EXPLAINING MITIGATING CIRCUMSTANCES:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing statements are true and correct.

Signature _____

Date _____

Print Name: _____

Case No. (Required): _____

(Case number can be located in the upper right corner of your hearing notice)

Address: _____

Phone: _____

Hearing Date: _____ Hearing Time: _____